

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 02/02/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0191 - 5005 Commercial Park Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 5005 Commercial Park Drive (Walnut Creek Watershed) from interim-single family-standard lot (I-SF-2) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant and Agent: Matthew Lutz. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0191

ZAP Date: December 6, 2005

ADDRESS: 5005 Commercial Park Drive.

OWNER/APPLICANT: Matthew Lutz

AGENT: Matthew Lutz

ZONING FROM: I-SF-2

TO: CS-1-CO

AREA: 0.700 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of Commercial-Liquor Sales Conditional Overlay (CS-1-CO) combining district zoning. The Conditional Overlay would limit the vehicle trips to less than 2000 per day, and prohibit the cocktail lounge use.

The applicant agrees with the proposed conditional overlay.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

December 6, 2005: Recommended CS-1-CO on consent (9-0).

DEPARTMENT COMMENTS:

The site is zoned Interim Single Family Standard Lot (I-SF-2) and has been the site of a custom wine-bottle labeling business for approximately one year. No alcohol consumed on site, and no walk-in sales are done at the site.

The business receives wine bottles from a distributor, and adds custom labels for hotels, corporations and special events such as weddings. Orders are placed on line or by phone. Typically the wine is delivered to the customer, although the customer may pick up the order at the property.

Much of the surrounding property lies outside the Austin city limits and is unzoned, although several cases have been submitted recently.

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

To the north along Springdale road, there is a large tract of vacant land. North from Commercial Park Drive on Springdale road towards US Highway 290 East, there are several large vacant tracts, and tracts developed with various industrial or intense commercial uses including, a ice plant, a commercial plumbing supply business (including a large yard storing PVC and concrete pipe), a Federal Express depot, a paint wholesaler, and a research and development site. At the intersection of Springdale Road and US Highway 290 East there are two convenience stores.

To the south along Old Manor road is a large vacant tract, a Starflight helicopter pad, and a concrete plant. Much of the land along Old Manor Road is undeveloped.

Further south, approaching Ed Bluestein Blvd (US Hwy 183) there are undeveloped tracts and a large AISD facility, the Delco Events Center.

The only residential uses near the site are further to the east along Pecan Brook drive, where a residential neighborhood surrounds LBJ High School.

The property lies within the proposed LBJ Neighborhood Planning Area, which has not yet been scheduled.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Warehouse
<i>North</i>	I-RR	Warehouses and Industrial Uses
<i>South</i>	I-RR	Undeveloped & Industrial Uses
<i>East</i>	I-SF-2	Vacant & Industrial Uses
<i>West</i>	I-SF-2	Vacant & Industrial Uses

AREA STUDY: The property lies within the proposed LBJ Neighborhood Planning Area, which has not yet been scheduled.

TIA: N/A

WATERSHED: Walnut Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- LBJ Neighborhood Association
- North East Action Group
- Taking Action Inc.
- Austin Neighborhoods Council
- Austin Independent School District

SCHOOLS: (AISD)

Winn Elementary School

Dobie Middle School

LBJ High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Commercial Park Drive	60'	40'	Collector

CITY COUNCIL DATE: 02/02/06

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

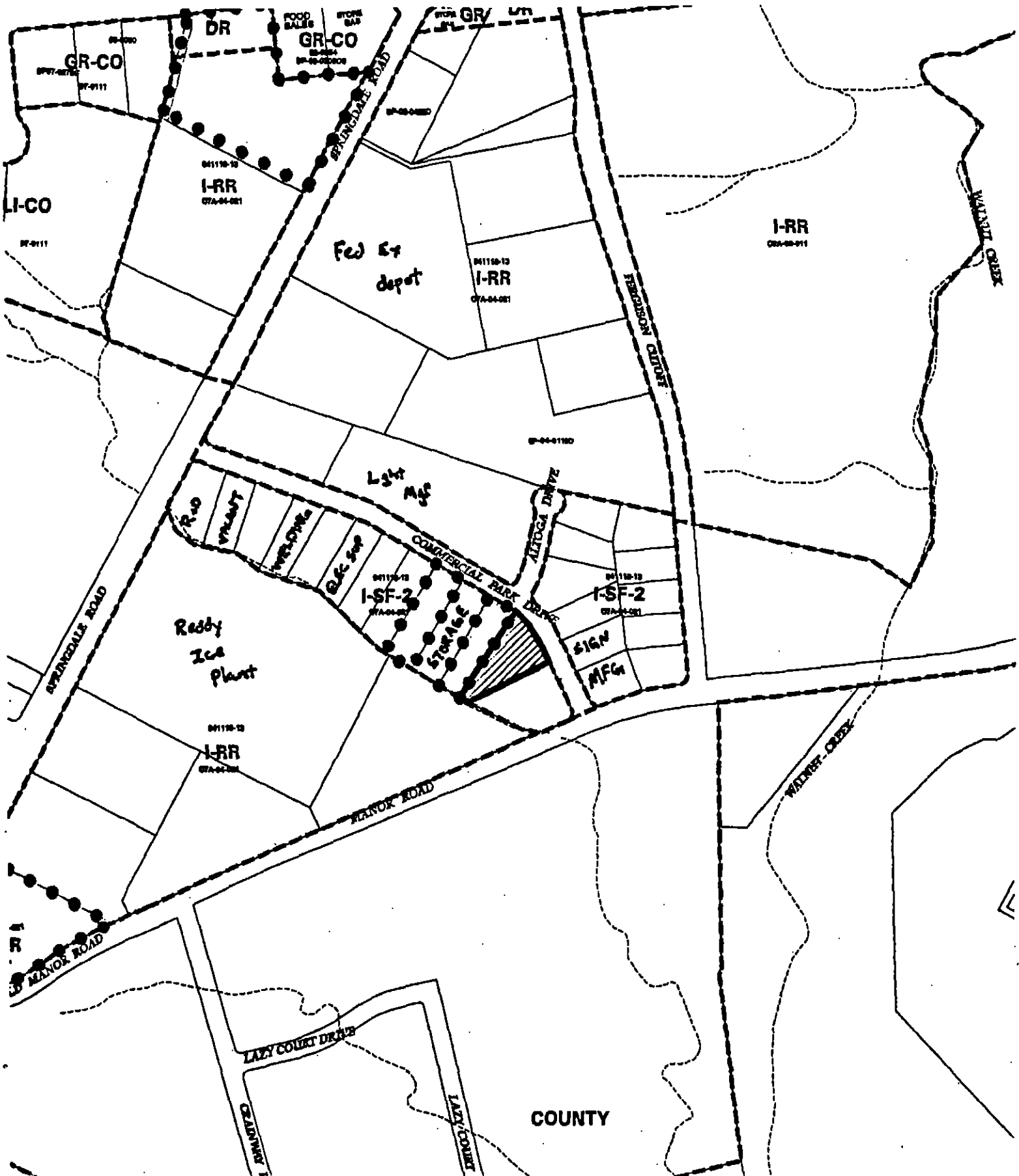
ORDINANCE NUMBER:

CASE MANAGER: Robert Heil

e-mail address: robert.heil@ci.austin.tx.us

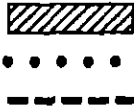
PHONE: 974-2330





1" = 400'

SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: R. HEIL



CASE #: C14-05-0191

ADDRESS: 5005 COMMERCIAL PARK DR

SUBJECT AREA (acres): 0.700

ZONING

DATE: 05-11

INTLS: SM

CITY GRID
REFERENCE
NUMBER

N27

SUMMARY STAFF RECOMMENDATION

C14-05-0191

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The applicant agrees with the proposed conditional overlay.

The site is zoned Interim Single Family Standard Lot (I-SF-2) and has been the site of a custom wine-bottle labeling business for approximately one year. No alcohol consumed on site, and no walk-in sales are done at the site.

The business receives wine bottles from a distributor, and adds custom labels for hotels, corporations and special events such as weddings. Orders are placed on line or by phone. Typically the wine is delivered to the customer, although the customer may pick up the order at the property.

Much of the surrounding property lies outside the Austin city limits and is unzoned, although several cases have been submitted recently.

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

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BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Commercial Park Drive, Springdale and Manor Roads are being developed with light industrial and intense commercial uses. Large truck traffic is common, especially along Springdale roads which links US 183 and US 290. Liquor sales use on the tract is compatible.

2. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Commercial-Liquor Sales Conditional Overlay (CS-1-CO) combining district zoning district is the designation for retail sales of alcohol. Although no walk-in sales are conducted at this site, this is the best description of the use.

EXISTING CONDITIONS

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is a warehouse for the distribution of alcoholic beverages. No alcohol is sold or consumed on site.. Much of the surrounding property lies outside the Austin city limits and is unzoned, although several cases have been submitted recently.

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

The only residential uses near the site are further to the east along Pecan Brook drive, where a residential neighborhood surrounds LBJ High School.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day beyond the existing trips. [LDC, 25-6-117]

Capital Metro bus service is not available within ¼ mile of this project.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Commercial Park Drive	60'	40'	Collector

Site Plan

Although the surrounding property is zoned Interim SF or RR, it appears compatibility is not triggered by any residential use.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and utility adjustment. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with

the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.